

ORIGINAL



0000105528

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

2009 NOV 30 P 1:57

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

NOV 30 2009

DOCKETED BY

[Handwritten signature]

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF:

DOCKET NO. S-20708A-09-0499

LARRY ZIEGLER (aka Zig Ziegler), a single man;

TROY DEE TRUVILLION and JENIA
DIMITROVA, husband and wife; and

MOTION DNA, INC., a Nevada corporation,

Respondents.

SECOND
PROCEDURAL ORDER

BY THE COMMISSION:

On October 20, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of Opportunity for Hearing ("Notice") against Larry Wayne Ziegler, Troy Dee Truvillion and Jenia Dimitrova, husband and wife, and Motion DNA, Inc. ("MDNA") (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock.

Respondent Troy Dee Truvillion was duly served with a copy of the Notice.

On November 2, 2009, a request for hearing was filed on behalf of Respondent Troy Dee Truvillion.

On November 9, 2009, by Procedural Order, a pre-hearing conference was scheduled on November 24, 2009.

On November 24, 2009, the Division and Respondent Truvillion appeared through counsel. The Division indicated that service had not yet been made on the other Respondents named in the proceeding. Counsel for Respondent Truvillion represented that he will now accept service for Respondent Dimitrova, who has been named in the proceeding as Truvillion's wife. Respondent

1 Truvillion's counsel indicated that he is attempting to resolve the issues raised by the Notice with the
2 Division and in the interim while service is made on the other Respondents, both he and the
3 Division's attorney agreed that another pre-hearing conference be scheduled in early February 2010.
4 In response to a request by Respondent Truvillion's attorney, to improve the possibility of settlement,
5 the Division was directed to disclose the number of investors in the offering, the dates and the
6 amounts of their investments.

7 Accordingly, a pre-hearing conference should be scheduled.

8 IT IS THEREFORE ORDERED that a **pre-hearing conference** shall be held on **February 4,**
9 **2010, at 9:30 a.m.,** or as soon thereafter as practicable, at the Commission's offices, 1200 West
10 Washington Street, Room 100, Phoenix, Arizona.

11 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
12 Communications) applies to this proceeding as the matter is now set for public hearing.

13 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
14 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
15 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
16 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
17 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
18 Administrative Law Judge or the Commission.

19 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
20 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
21 *pro hac vice*.

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

1 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
3 ruling at hearing.

4 DATED this 30TH day of November 2009.

5
6
7 


8 MARC E. STERN
9 ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 30th day of November 2009 to:

12 Alan S. Baskin
13 BADE & BASKIN PLC
14 80 East Rio Salado Parkway, Suite 515
15 Tempe, AZ 85281-9106
16 Attorneys for Respondent Troy Dee Truvillion
17 and Jenia Dimitrova

18 Matt Neubert, Director
19 Securities Division
20 ARIZONA CORPORATION COMMISSION
21 1300 West Washington Street
22 Phoenix, AZ 85007

23 ARIZONA REPORTING SERVICE, INC.
24 2200 North Central Avenue, Suite 502
25 Phoenix, AZ 85004

26 By: 
27 Debra Broyles
28 Secretary to Marc E. Stern